

MAY 22 2007

CLERK
U.S. DISTRICT COURT-NORTH DAKOTA

United States District Court

DISTRICT OF

NORTH DAKOTA

UNITED STATES OF AMERICA

V.

DANIEL EDWARD CVIJANOVICH

CRIMINAL COMPLAINT

CASE NUMBER:

3:07-mj-46

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about November 2006 in Stutsman County, in the District of North Dakota defendant(s) did, (Track Statutory Language of Offense) make threats against the President and Successors to the Presidency

in violation of Title 18 United States Code, Section(s) 871.

I further state that I am a(n) Special Agent and that this complaint is based on the following

facts:

See attached Affidavit

Continued on the attached sheet and made a part hereof:

Yes No


Signature of Complainant

JOHN KELLY, Special Agent

Sworn to before me and subscribed in my presence,

Date May 22, 2007

at Fargo, North Dakota

City and State

Rodney S. Webb, U.S. District Court Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

Statement of Probable Cause

Special Agent John A. Kelly

I am a Special Agent with the United States Secret Service and have been so employed since July 1996. I am assigned to the Fargo Office of the United States Secret Service.

I have received specialized training as a federal criminal investigator at the Federal Law Enforcement Training Center in Brunswick, Georgia, and completed the Special Agent Training Course at the Secret Service Training Academy, Beltsville, Maryland. My responsibilities include the investigation of federal offenses including, but not limited to, threats against the President, violations involving financial crimes, wire fraud, bank fraud, computer fraud, telemarketing fraud, counterfeit U. S. currency and counterfeit securities.

I have received extensive training in identifying, interviewing and investigating persons who threaten the President of the United States.

This affidavit is based upon my personal knowledge and upon information I have received from other Law Enforcement Officers and reliable cooperating individuals. I am familiar with the facts and circumstances of this investigation, including the facts and circumstances set forth below, from my personal participation in the investigation and from my conversations with other law enforcement officials and investigators. Unless otherwise specified, the information set forth below is based on conversations I have had with these individuals. In addition, where conversations or statements are related herein, they are related in substance and in part except where otherwise indicated.

I submit this affidavit in support of a Criminal Complaint against Dan Cvijanovich relating to the following violation: Title 18, USC 871 (Threats against President and successors to the Presidency).

On 02/15/07, I received a call from Dan Cvijanovich's case manager, Michelle Schmidt, from FMC Rochester. Schmidt stated Cvijanovich's cell was recently searched and hand written journals written by Cvijanovich were found.

On 02/18/07, I reviewed the journal writings from FMC Rochester. I found many references to assassination and Cvijanovich's desire to kill the President. The following are a few of Cvijanovich's handwritten statements:

"Regarding Bush, I had coherent reasons for wanting to kill him, both the official, ideological reasons given in the "manifesto" and the more personal, selfish reason most notably, a desire to be a world historical figure"

"is George W. Bush a psychopath? I don't think so, He deserves to die, but he is in the end a human being"

"My ambitions all involve an element of grandiosity, a fundamental concern with self-expression or fulfillment which sometimes conflicts with the greater good, eg wanting to kill Bush in part to become a world-historical figure, not really believing the assassination would improve society or the plight of the race or anything else."

"As a criminal dissident I'm an amateur. Hell, even if I'd have shot the president I'd have been an amateur. Getting the shot would have been largely luck, and if it killed him that would have been almost pure luck considering how lousy a shot I am. I always knew of course, that high end assassination is for amateurs."

"While we're reciting lines from pop culture that once grabbed me, here's another, from a movie: "someday everyone's gonna pay attention to me, Because I'm gonna fly too." [voice over to my shooting Bush]"

On April 12th, 2007 I received a phone call from Deputy Sheriff Jason Falk of the Stutsman County Sheriff's Department. Deputy Falk advised me he was contacted by an inmate who has information about a possible attempt to assassinate the President of the United States. Deputy Falk stated the inmate's name was Robby Aldrich who is located in the Barnes County Jail. I advised Deputy Falk I would speak with Aldrich the following day.

On April 13th, 2007 I drove to the Barnes County Jail in North Dakota and interviewed inmate Robby Aldrich. Aldrich stated in November of 2006 he was in the Stutsman County Jail with another inmate named "Dan" (Aldrich was unable to recall Dan's last name). I asked Aldrich to describe Dan to me and Aldrich stated Dan was a white male, stocky, short hair and between 5'8" and 6" tall. Aldrich stated he was in H block with Dan and six other inmates. One day while in H block, the President came on TV and one of the other inmates stated to Dan, "Hey Dan, there's your friend". Aldrich asked Dan what was meant by that comment and Dan stated he had tried to kill the President. Aldrich stated he was intrigued by this and continued to ask Dan about how he tried to kill the President. Dan also stated he was planning to try again to kill the President when he was released from prison and would "try again until he succeeds". I asked Robby Aldrich if he believed Dan and the statements he made and Aldrich stated "yes". Aldrich added he believes Dan will try again to kill the President which is why he is providing this information.

On April 17th, Deputy Falk and I then proceeded to James River Correctional Center located in Jamestown, ND. We then interviewed Gary Zinck who confirmed he met Dan Cvijanovich when he was confined in H block in Stutsman County Jail in November of 2006. Zinck stated Cvijanovich told him the following information:

Cvijanovich was openly hostile towards President Bush.
Cvijanovich stated he wanted to kill the President and repeated this many times.

On April 18th, 2007 I located Kyle White in the Cass County Jail in Fargo, ND. Later that same day I interviewed White in the Cass County Jail. When I first made contact with White I advised him I was conducting an investigation into threats made against the President of the United States. I advised White that he may have been in prison with the person I was investigating. White then smiled and stated "I know who you are talking". I then asked White to describe that person to me. White stated he was a white male in his twenties. A stocky, short haired person under six feet tall. I then asked White what his name was and he stated "Dan". White was unable to recall Dan's last name. White stated he first met Dan in the Cass County Jail in October or November of 2006. White and Dan were both confined in H block in Stutsman County Jail in November of 2006. White stated he and Dan were cell mates in a two person cell while in H block. White and Dan discussed in detail Dan's failed attempt plan to kill the President. White stated Dan made the following statements to him:

Dan stated all he wants to do is kill the President and will not stop until the President is dead.

Dan stated he will continue to try to kill President Bush if he is still the President when he gets out of jail.

Dan stated he will travel to any location in his next attempt to kill the President.

Dan stated he knows people who can provide him with another gun.

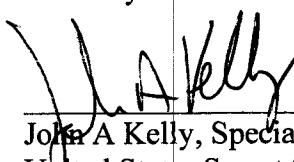
Dan stated he will try to shoot the President in the forehead.

Dan stated he also wants to kill the President so he will be famous.

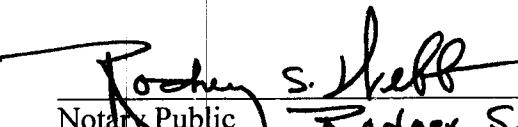
White stated he would question Dan about trying to kill the President many times because he had never met any one who tried to kill the President. Dan would continually say he wanted to kill the President when he got out of prison. White was asked if he believed Cvijanovich was serious about still wanting to kill the President and he stated yes. White stated he believes Dan will try to shoot the President.

Based upon the following, your Affiant, believes probable cause exists that on or about November 2006, in the State and District of North Dakota, Dan Cvijanovich knowingly threatened the President of the United States in violation of Title 18, USC 871 (Threats against President and successors to the Presidency). For this reason, your Affiant respectfully requests that a Criminal Complaint be signed against Dan Cvijanovich.

Further your Affiant sayeth not.


John A. Kelly, Special Agent
United States Secret Service

Subscribed and sworn to before me this 22nd day of May 2007.


Notary Public Rodney S. Webb
United States District Judge
District of North Dakota